

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Erion *et al.*

Appl. No.: 09/518,501

Filed: March 3, 2000

For: **Novel Phosphorus-containing  
Prodrugs**

Confirmation No.: 7608

Art Unit: 1624

Examiner: T. McKenzie

Atty. Docket: 2358.0010002/RWE/CJW

**Supplemental Information Disclosure Statement**

***Mail Stop RCE***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Supplemental Information Disclosure Statement filed on January 31, 2006 in connection with the above-captioned application. Copies of documents B5 and C120-C127 are being filed electronically herewith. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copy of the U.S. patent cited on the attached IDS Form is submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication

dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

Document C120 is a non-English language document. Document C120 was cited in a foreign search report for the corresponding European Patent Application No. 05023116. Submission of an English-language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. M.P.E.P. § 609.04(a)(III) (August 2005).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

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